

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62087 of 2023

Arising Out of PS. Case No.-98 Year-2023 Thana- HARNAUT District- Nalanda

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1. JANMEJAY YADAV @ RAVINDRA YADAV Son of Arjun Yadav R/o vill - Chero, P.S. - Harnaut, Distt. - Nalanda
 2. Rit Raj @ Ritu Raj Son of Raj Kumar Yadav @ Raj Kumar Prasad R/o vill - Chero, P.S. - Harnaut, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Harnaut P.S. Case No. 98 of 2023 dated 11.02.2023, instituted for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 337, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that on 11.02.2023 at about 5:30 pm when the informant was sitting on *Jharjhariya, Bhola sthan*, one Bhanu Raj came there who was carrying a pistol and *lathi* and started abusing and threatening the informant to withdraw his earlier case otherwise he will kill him. It is alleged that Bhanu Raj started firing but did not hit the informant after that he fled away. It is further alleged that when



the informant reached home, the petitioner along with other co-accused started firing and pelting stones, which caused head injury to *Bhagna* of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that there is general and omnibus allegation against the petitioners. Allegation is only to assault nephew of the informant with a brick. It is submitted that from injury report it appears that the nature of injury is simple in nature which was caused by hard blunt substance. It is submitted that no incriminating articles has been recovered from the possession of the petitioners or their house. It is submitted that no firearm injury was received by anyone in the said case. There is case and counter case filed by *Bhabhi* of petitioner no. 1. It is submitted that petitioners have also received injuries. Lastly, it has been submitted that petitioners have one criminal case against them, filed by the same informant.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners in connection



with Harnaut P.S. Case No. 98 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Nalanda, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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